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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re The Application Of:

Eitan Bachmat

Serial No. 08/833,410

Filed: April 4, 1997

)  
) Examiner: To be reassigned  
)  
) Art Unit 2100  
)  
)  
)

For: System and Method For Assessing And Controlling The Operational Effectiveness  
Of A Cache Memory In a Digital Data Processing System

**PETITION FOR RESUBMISSION**

I hereby certify that the attached:

1. Petition to Revive Under 37 C.F.R. 1.137(b) Or 1.316(c),
2. Request For Continued Examination Under 35 U.S.C. §114, and
3. Information Disclosure Statement with attached documents: Form PTO 1449, articles : A.K. Bhide et al "A simple analysis of the LRU buffer policy and its relationship to buffer warm-up transient (IEE, 1993) and. Buck et al "An analytic study of caching in computer systems" (Academic Press, 1996)

totaling 26 pages are hereby resubmitted for filing.

In checking with the Technology Center at 703-306-5631 today I was informed these documents were never entered into this case as the date of filing being shortly after September 11, 2001. These documents were never received, and we are hereby resubmitting them for filing via Facsimile to 703-746-7239 as instructed.

Kindly charge our EMC Deposit Account 05-0889 for any fees incurred by this transaction. This document will be submitted in duplicate to comply with that request.

11/15/2002 AXELLEY 00000003 050889 08833410

01 FC:1453 1280.00 CH  
02 FC:1501 1280.00 CH

*Penelope S. Wilson*  
Penelope S. Wilson, Esq. (Reg. #29,751)  
EMC Corporation  
35 Parkwood Drive  
Hopkinton, MA 01745  
Date: 9/5/2002

96-108

PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application Of:

Eitan Bachmat

Serial No. 08/833,410

Filed: April 4, 1997

Examiner: D. Langjahr

Art Unit 2752

For: System And Method For Assessing And Controlling The Operational Effectiveness Of A Cache  
Memory In A Digital Data Processing System

Richard A. Jordan  
P. O. Box 81363  
Wellesley Hills, MA 02481-0004  
(781) 431-1357  
September 16, 2001

## Certificate of Mailing

I hereby certify that the following correspondence dated September 16, 2001, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents And Trademarks, Washington, D.C. 20231 on September 16, 2001.

Respectfully submitted



Richard A. Jordan  
Reg. No. 27,807

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

## PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b) Or 1.316(c)

Applicant respectfully petitions the Commissioner of Patents and Trademarks to revive the above-identified application, which was unintentionally abandoned for failure to pay the issue fee

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due September 22, 2000, as required in the Notice of Allowance dated June 22, 2000. Applicant states that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C. F. R. §1.137(b) was unintentional.

A Request For Continued Examination Under 35 U. S. C. §114 is attached, along with an Information Disclosure Statement and copies of references cited therein, which is the response required for the Notice of Allowance.

Please charge the fee for the Petition to Revivce to the deposit account of assignee EMC Corporation, Deposit Account No. 05-0889. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*Richard A. Jordan*

Richard A. Jordan

Reg. No. 27,807

Telephone Numbers

Voice (781) 431-1357

Facsimile (781) 235-8326

PATENT  
EMC-96-108**Facsimile****EMC<sup>2</sup>**  
where information lives

EMC Corporation  
Office of the General Counsel  
35 Parkwood Drive  
Hopkinton, MA 01748-9103

|                   |  |   |
|-------------------|--|---|
| <b>To:</b>        | <b>TC2100</b><br><b>Assistant Commissioner for Patents</b><br><b>Washington, DC 20231</b>                | <b>Date:</b> September 5,<br>2002                 |
| <b>Telephone:</b> | (703) 746-7240   |   |
| <b>Facsimile:</b> | (703) 746-7239   |   |
| <b>From:</b>      | Penelope S. Wilson, Esq. (Reg. 29,751)<br>Intellectual Property Counsel<br>Office of the General Counsel | Number of pages including<br>this cover sheet: 29 |
| <b>Telephone:</b> | (508) 435-1000, ext.   |   |
| <b>Facsimile:</b> | (508) 293-7189   |   |

Re: U.S.S.N.08/833,410 filed April 4, 1997    Atty. Docket No. EMC-96-108

Submitted are:

1. Petition for Resubmission
2. Petition to Revive Under 37 C.F.R. 1.137(b) Or 1.316(c).
3. Request For Continue Examination Under 35 U.S.C. § 114.
4. Information Disclosure Statement with attached documents:  
A.K. Bhide et al "A simple analysis of the LRU buffer policy and its relationship to buffer warm-up transient (IEE, 1993) and Buck et al "An analytic study of caching in computer systems" (Academic Press, 1996).

When inquiring to Customer Service today we were informed these document were never entered into this case as the date of filing was shortly after September 11, 2001. These documents were never received, and we are hereby resubmitting them for filing as instructed.